

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
September 12, 2000, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Father William Carr
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Recognition of Olympic Class Athletes from the Wichita Swim Club
- Youth Community Service Awards – Wichita’s Promise
- Recognition of Russian Delegation Hosted by West Side Rotary Club
- Proclamations

NEW BUSINESS

1. [Petition](#) to Pave Valley Hi Road, West of Decker Road – South of Maple, West of 135th Street West. (District V)

The Petition represents 74.5 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

2. [Petition](#) to Pave 31st Street North, from Hood to Arkansas Avenue. (District VI)

The Petition represents 51.8 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution;
authorize selection of a design engineer.

3. [Petition for Special Assessment.](#)

Request to special assess an entry feature to the Willowbend North patio home subdivision, located on the south side of 45th Street North between Rock Road and Woodlawn.

RECOMMENDED ACTION: Deny the request for special assessment financing.

4. [Modifications to Former Arts and Crafts Building – 25th Street and Arkansas.](#) (District VI)

Consideration of funding support for proposed modification of Arts and Crafts building in conjunction with SER Corporation Lease.

RECOMMENDED ACTION: Approve the allocation, subject to funding availability and commitment from the Coalitions Committee.

5. [Alternative Correctional Housing Ordinance.](#)

Consideration of program and administration changes to the City's Alternative Correctional Housing Program, as requested by the City Council.

RECOMMENDED ACTION: Take the necessary action.

6. [City Code Amendments:](#)

The proposed amendments eliminate requirement for surety bonds and increase certain plumbing and mechanical permit fees for licensed plumbing and mechanical contractors.

a) [Amendments](#) to Title 21, Plumbing Code.

b) [Amendments](#) to Title 22, Mechanical Code.

RECOMMENDED ACTION: Approve first reading of the Ordinances.

7. [Donation of Publicly Owned Property.](#)

Proposal to donate public property for infill development under certain guidelines.

RECOMMENDED ACTION: Authorize proposed donation of properties.

(11:00 a.m.)

8. [Repair or Removal of Dangerous and Unsafe Structures.](#)

On August 1, 2000, the City Council adopted Resolutions setting the public hearing for September 12, 2000, at 11:00 a.m., on the following properties:

	<u>Address</u>	<u>District</u>
1)	2326 South Topeka	III
2)	4931 North Salina	VI

RECOMMENDED ACTION: Close the public hearing; adopt the Resolutions.

9. [Request for Angle Parking in Front of Eaton Hotel Block.](#)

RECOMMENDED ACTION: Approve/reject request.

10. [Request of American GI Forum of Kansas Greater Wichita Metro Chapter to Extend Hours of Event.](#)

Consideration of request to extend event hours of September Fiesta in Evergreen Park from 10:00 p.m. to 11:00 p.m. on Friday, September 15, and Saturday, September 16.

RECOMMENDED ACTION: Approve/reject request.

CITY COUNCIL AGENDA

11. [Rental Licensing, Registration or Inspection Study.](#) (Requested by Council Member Lambke)

Proposed study will determine feasibility of inspection and licensing by the City of Wichita of residential rental property.

RECOMMENDED ACTION: Approve the study and refer issue to District Advisory Boards.

12. [Amendments to Parking Ordinance.](#) (Requested by Council Member Lambke)

Amends parking ordinance to prohibit commercial and recreational vehicles from being parked on the street in residential areas for periods in excess of two hours.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

13. Board/Commission Appointments.

RECOMMENDED ACTION: Make the appointments.

14. Selection of League Delegates.

The City of Wichita may elect one or more voting delegates to represent the City in the conduct and management of the affairs of the League at the League of Municipalities Annual Conference.

RECOMMENDED ACTION: Approve the voting and alternate delegate(s).

15. Proclamations:

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

16. Report of the Board of Bids and Contracts Dated September 11, 2000.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts;
authorize the necessary signatures.

17. Application for License for Adult Entertainment Establishments/Services:

Adult Entertainment – New

Norman Massey Jr.	Zigfields	4200 West Kellogg Drive
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RECOMMENDED ACTION: Approve the license subject to Staff
review and approval.

18. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
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Michael L. Consolver	McDonald Golf Course Snack Bar*	840 North Yale
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(Consumption off Premises)

P.D. Bairrington	Town West 66 #27222	4414 Maple Street
P.D. Bairrington	Crossroads 66 #27080	7136 West Central
P.D. Bairrington	Expressway 66 #27904	3311 North Rock Road
P.D. Bairrington	North Seneca 66 #27645	515 North Seneca Street

(Item 18 continued)

P.D. Bairrington	Reflection Ridge 66 #27754	7236 West 21 st Street
P.D. Bairrington	Lyncrest 66 #26635	1250 South Rock Road
P.D. Bairrington	Tyler 66 #27747	1254 South Tyler
P.D. Bairrington	Williamsburg 66 #27216	1350 North Oliver
P.D. Bairrington	Mount Vernon 66 #27981	2001 South Oliver
P.D. Bairrington	Broadway 66 #27375	4821 South Broadway
Benjamin J. Schultz	T & E Oil Co., Inc.	3935 North Broadway
John G. Wylie	Wyl-Mac Corporation dba HELLO CSS #116	801 South Oliver
Syed Abbas Rizvi	A-R Inc., dba Petro America	2700 North Amidon

Special Events

	<u>September 15-17, 2000</u>	
Ricardo G. Moreno	American G.I. Forum-Mexican Independence Day Fiesta	2601 North Arkansas
	<u>September 23, 2000</u>	
Dennis Schade	Old Town Chili Cookoff	800 East Waterman

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

19. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

20. Preliminary Estimates:

- a) Pawnee and Oliver intersection reconstruction to provide left turn lanes on Oliver - Pawnee and Oliver. (87 N-0092-01/472-82910/706800/634725/208255/544127) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$1,026,120
- b) 2000 contract maintenance area concrete reconstruction Phase B - north of 31st Street South, east of Broadway. (/132282_2/) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$300,000
- c) 2000 contract maintenance thermal crack joint repair Phase 3 - at various locations. (/132282_3/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II and V) - \$200,000
- d) Storm Water Sewer 195 - Phase I to serve Wiedmann Business Park - south of Kellogg, west of Greenwich. (468-80969/751283/485174) Does not affect existing traffic. (District II) - \$155,000
- e) Lateral 395, Southwest Interceptor Sewer to serve Newmarket Square Addition - north of 21st Street, west of Maize Road. (468-82818/743849/480537) Does not affect existing traffic. (District V) - \$50,000

(Item 20 continued)

- f) Bedford/Killarney/Ritchfield, from the south line of Lot 57, Block 1, to the south line of Lot 14, Block 4; Bedford, from the north line of Killarney to the north line of Lot 63, Block 1; Bedford Court, serving Lots 16 through 24, Block 3; and Sidewalk on the east, south, and west side of Bedford/Killarney/Ritchfield to serve Balthrop Addition - north of Central, east of Greenwich. (472-83031/765639/490750) Does not affect existing traffic. (District II) - \$378,300
- g) Water distribution system to serve Smithmoor Ninth Addition - south of Harry, west of Greenwich. (448-89398/734967/470637) Does not affect existing traffic. (District II) - \$71,000
- h) Sanitary sewer relocation at 13th and Yale to serve Yale Heights Addition - north of 13th Street North, east of Hillside. (468-82646/621458/533256) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$90,000
- i) (Amended) Constructing I-235 Corridor Landscaping – I-235, Zoo to North Broadway – total estimated cost - \$291,000

RECOMMENDED ACTION: Approve and file.

21. Utility Easement for Sanitary Sewer and Lift Station. (District V)

RECOMMENDED ACTION: Receive and file.

22. Statement of Cost.

(Amended) Improving Lateral 38, Main 15, Southwest Interceptor Sewer to serve an unplatted tract - north of 21st Street North, east of Ridge Road. Total Cost - \$24,699.83 (plus idle fund interest - \$650.50, less other revenue – \$836.55, plus temporary note interest - \$687.50). Financing to be issued at this time- \$25,163.45. (743801/468-82995/480-489)

RECOMMENDED ACTION: Approve and file.

23. Street Closures/Uses:

- a) 2000 Walking Tour.
- b) Evergreen Park-Diez y Seis de Septiembre Fiesta

RECOMMENDED ACTION: Approve the street closures/uses.

24. Agreements/Contracts:

- a) [Professional](#) services – building rehabilitation and change of use Code.
- b) [Construction](#) engineering for Pawnee and Oliver Intersection. (District III)
- c) Settlement Agreement.
- d) [Pipeline](#) encroachment permit Agreements for Highland Springs Second Addition – south of Central, west of 135th Street West. (District V)
- e) [Elevated](#) potable water storage facilities site selections Contract.
- f) [Recruitment](#) services Contract – Municipal Court.
- g) [Amendment](#) to professional services with Grace, Unruh and Pratt.
- h) [Supplemental](#) - Mead, from Douglas to First Street. (District VI)
- i) [Supplemental](#) - collection system modeling for year 2000 Sanitary Sewer Master Plan.
- j) [Project](#) Access Contract renewal.

RECOMMENDED ACTION: Approve the Agreements/Contracts;
authorize the necessary signatures.

25. Design Services Agreements:

- a) [Woodlake](#) Second Addition – north of Douglas, east of Sheridan. (District IV)
- b) [Legacy](#) Park Wilson Estates Addition – south of 21st Street, west of Webb Road. (District II)
- c) [Water](#) Distribution System No. 448-89424 – south of 63rd Street South, west of Arkansas River. (District III)

RECOMMENDED ACTION: Approve the Agreements/Contracts;
authorize the necessary signatures.

26. Change Orders:

- a) [Auburn](#) Hills Golf Course Clubhouse – south of Maple, west of 135th Street West. (District V)
- b) [Kellogg](#)/Oliver Interchange. (District II)

RECOMMENDED ACTION: Approve the Change Orders.

27. [Metro Community Capacity Building Grant Program Application.](#)

RECOMMENDED ACTION: Approve the application; adopt the Resolution; authorize the City Manager to execute the documents.

28. [Historic Preservation Fund Grant Addendum.](#)

Amend the Delano Survey Grant to increase the amount reallocated from the Printing Grant to accommodate additional public hearings.

RECOMMENDED ACTION: Receive and file HPF Grant Agreement.

29. [Funding to Equip Mini City Halls.](#)

RECOMMENDED ACTION: Approve the funding and budget adjustments.

30. [Waiver of Assessments – Kansas Public Telecommunications Service, Inc.](#)

RECOMMENDED ACTION: Approve the waiver and authorize the use of general funds for payment.

31. [Payment of Judgment – Adamson, South Seneca Flooding.](#) (District IV)

RECOMMENDED ACTION: Authorize payment.

32. [Fiber Optic Installation.](#)

RECOMMENDED ACTION: Approve the Contract; adopt the Resolution; authorize Notice of Intent and necessary signatures.

33. [Emergency Repairs – Expo Hall.](#)

RECOMMENDED ACTION: Receive and file.

34. [Watershed Assistance Grant.](#)

RECOMMENDED ACTION: Receive and file.

35. Budget Adjustments:

- a) [Additional](#) pump for Webb Road Pump Station. (District II)
- b) [Capital](#) Improvement Program budget adjustment.

RECOMMENDED ACTION: Approve the budgets.

36. Police Tactical Medical Team Program.

RECOMMENDED ACTION: Approve the program and Agreement;
authorize the necessary signatures.

37. Authorization to Join in Exemption Application – Envision, Inc. (District III)

RECOMMENDED ACTION: Authorize joining the exemption
application and necessary signatures.

38. Release of Lien and Consent to Sell Property – Envision, Inc.

RECOMMENDED ACTION: Approve release of lien and consent to
sell property; authorize the necessary
signatures.

39. Annexation Service Extension Plans.

RECOMMENDED ACTION: Approve funding and contracting for
plans.

40. Proposed Special Assessment Rolls.

Proposed assessment rolls have been prepared for 28 paving projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held October 2, 2000.

RECOMMENDED ACTION: Set the public hearing for 11:00 a.m.,
Tuesday, October 17, 2000.

41. Property Acquisitions:

- a) [456 Courtleigh](#) - East Kellogg improvement project. (District II)
- b) [28 Willowbrook](#) - East Kellogg improvement project. (District II)
- c) [4 Hunter](#) - East Kellogg improvement project. (District II)

(Item 41 continued)

- d) [3600 Elmwood](#) - Dry Creek drainage project. (District III)

RECOMMENDED ACTION: Approve the budgets and Contracts;
authorize the necessary signatures.

42. [Amended Resolution: Vest Pocket Park – South of Douglas, East of Market.](#) (District I)

RECOMMENDED ACTION: Adopt the Resolution.

43. Second Reading Ordinances: (First read August 22, 2000)

- a) Wireless communication master plan – Unified Zoning Code.

An ordinance providing amendments to Section II-E.3, Section II-E.15, Section III-B.2.b.(3), Section III-B.2.c.(3), Section III-B.3.b.(3), Section III-B.3.c.(3), Section III-B.4.b.(3), Section III-B.5.b.(3), Section III-B.6.b.(3), Section III-B.7.b.(3), Section III-B.8.b.(3), Section III-B.9.b.(3), Section III-B.10.b.(3), Section III-B.11.b.(3), Section III-B.12.b.(3), Section III-B.13.b.(3), Section III-B.14.b.(3), Section III-B.15.b.(3), Section III-B.16.b.(3), Section III-B.17.b.(3), Section III-B.18.b.(3), Section III-B.19.b.(3), Section III-B.20.b.(3), Section III-D.6.g, Section III-D.7.b.(8), Section III-D.7.c.(6), Section III-D.7.d.(5), Section III-E.2.f.(1), Section IV-c.5, Section V-a.2, Section V-i.2, Section VI-g, Section VI-H, and the use regulation schedule in Section III.D of the Wichita-Sedgwick county Unified Zoning Code (October 28, 1999 Edition), as adopted by ordinance 44-427, dealing with wireless communication amendments thereto.

- b) Wireless communications master plan – zoning applications.

An Ordinance amending Section 2.26.010 of the Code of the City of Wichita, Kansas, pertaining to fees and charges for planning and zoning applications and proceedings; and repealing the original section.

- c) IRB – McCormick-Armstrong Company, Series VIII, 1999, amendment.

An Ordinance of the City of Wichita, Kansas authorizing the execution of a first amendment to lease agreement by and between the City of Wichita, Kansas, and McCormick-Armstrong Co., Incorporated, in connection with the project financed by the City's Industrial Revenue Bonds, Series VII, 1999 (McCormick-Armstrong Co., Incorporated).

- d) Z-3353 – southeast corner of 13th Street North and Waco. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3353

- e) ZON2000-00027 – southeast corner of 21st Street North and Webb Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. ZON2000-00027

(Item 43 continued)

- f) ZON2000-00029 – north of Lincoln, east of Greenwich Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. ZON2000-00029

- g) Z-3357 – south side of 45th Street North, east of Rock Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3357

- h) ZON2000-00017/18 – southwest corner of 37th Street North and Ridge Road – Parcel 2. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. ZON2000-00017

RECOMMENDED ACTION: Adopt the Ordinances.

44. First Reading Ordinance – Sidewalk Repair.

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 00 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*45. VAC2000-00030 – Vacation of a Portion of Building Setback on Property Generally Located Approximately Five Blocks South of Harry on the West Side of Hoover – 1821 South Eisenhower. (District V)

MAPC Recommendation: Approve the Vacation.

Staff Recommendation: Approve the Vacation.

RECOMMENDED ACTION: Approve the Vacation Order;
authorize the necessary signatures.

- *46. [VAC2000-00031](#) – Vacation of a Portion of a Utility Easement on Property Generally Located Approximately One-half Mile South of Kellogg and One-half Mile East of Hillside – 714 South Roosevelt. (District II)

MAPC Recommendation: Approve the Vacation.

Staff Recommendation: Approve the Vacation.

RECOMMENDED ACTION: Approve the Vacation Order;
authorize the necessary signatures.

- *47. [VAC2000-0032](#) – Vacation of a Portion of Street Right-of-Way Located South of 13th Street North on the East Side of Woodlawn. (District II)

MAPC Recommendation: Approve the Vacation.

Staff Recommendation: Approve the Vacation.

RECOMMENDED ACTION: Approve the Vacation Order;
Authorize the necessary signatures.

- *48. [VAC2000-0034](#) – Request to Amend the Text on the Face of the Lakeridge Addition Plat to Allow Structures to be Built on Reserve Generally Located ¼ Mile East of Ridge Road and ¼ Mile North of 21st Street North. (District V)

MAPC Recommendation: Approve the request.

Staff Recommendation: Approve the request.

RECOMMENDED ACTION: Approve the request to amend the text.

- *49. [V-2155](#) – Vacation of a Portion of a Utility Easement Located in an Area Between Hillside and Range Road. (District III)

MAPC Recommendation: Approve the Vacation.

Staff Recommendation: Approve the Vacation.

RECOMMENDED ACTION: Approve the Vacation order;
authorize the necessary signatures.

- *50. [DED2000-19](#) – Dedication of Utility Easement Located on the Southwest Corner of Byron Street and Byron Court. (District V)

MAPC Recommendation: Accept the Dedication.

RECOMMENDED ACTION: Accept the Dedication.

- *51. [DED2000-20](#) – Dedication of Utility Easement Located on the North Side of McCormick, East of Tyler. (District V)

MAPC Recommendation: Accept the Dedication.

RECOMMENDED ACTION: Accept the Dedication.

- *52. [DED2000-21](#) – Dedication of Access Control Located on the North Side of McCormick, East of Tyler. (District V)

MAPC Recommendation: Accept the Dedication.

RECOMMENDED ACTION: Accept the Dedication.

- *53. [S/D 99-89](#) – Plat of Cessna Addition, Located on the Southeast Corner of Ridge Road and K-42 Highway. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat.

- *54. [SUB2000-57](#) – Street Improvement Agreement, North of Central, West of Zoo Boulevard. (District VI)

Staff Recommendation: Approve the Agreement.

RECOMMENDED ACTION: Approve the Agreement; authorize the necessary signatures.

- *55. [ZON2000-00032](#) – Request for Zone Change from Limited Industrial to Central Business District, Located South of Waterman and East of Commerce. (District I)

MAPC Recommendation: Approve.

Staff Recommendation: Approve.

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

56. [ZON2000-00033](#) – Request for Zone Change From Single-Family Residential to General Office and Limited Commercial, Generally Located East of Woodlawn and North of 17th Street North. (District II)

MAPC Recommendation: Approve, subject to Platting within one year and the additional provisions of a Protective Overlay.

Staff Recommendation: Approve, subject to Platting within one year and the additional provisions of a Protective Overlay.

DAB-2 Recommendation: Approve, subject to recommendations.

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance, subject to Platting within one year and the additional provisions of a Protective Overlay.

- *57. [CUP2000-00028](#) – Amendment to Create a New Parcel from the South 250 Feet of Parcel One (1) of DP-170 Reflection Ridge C.U.P. that Allows Office Uses; AND [ZON2000-00034](#) – Request for Zone Change from Single-Family Residential to General Office for the Proposed New Parcel, Located North of 21st Street North on the East Side of Tyler Road. (District V)

MAPC Recommendation: Approve the zone change, subject to Platting within one year; approve C.U.P., subject to conditions

Staff Recommendation: Approve the zone change, subject to Platting within one year; approve C.U.P., subject to conditions.

DAB-5 Recommendation: Approve the zone change, subject to Platting within one year; approve C.U.P., subject to conditions.

RECOMMENDED ACTION: Approve the zone change, subject to Platting within one year; approve C.U.P., subject to conditions.

- *58. [A 00-15](#) – Resolution Establishing a Public Hearing on the Annexation of Eligible Properties Generally Located North of 21st Street North, and East and West of Hoover. (District V)

RECOMMENDED ACTION: Adopt the Resolution setting November 14, 2000, 7:00 p.m., at the Sedgwick County Extension Office, 7001 West 21st Street North, as the time and place for the public hearing.

- *59. [A 00-18 – Request to Annex Land Generally Located at the Northeast Corner of 47th Street South and West Street.](#)
(District IV)

RECOMMENDED ACTION: Approve the Annexation and first reading
of the Ordinance.

60. [A00-17 – Request to Annex Land Generally Located at the Southwest Corner of 45th Street North and Oliver Street.](#) (District ??)

RECOMMENDED ACTION: Approve the Annexation and first reading
of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

61. [Fuel Farm Tank Linings.](#)

The linings of four underground fuel storage tanks have deteriorated and need to be replaced.

RECOMMENDED ACTION: Authorize the project for bid.

62. [Spill Prevention Control and Countermeasure Plan.](#)

This proposed project will review and update the Wichita Mid-Continent Airport plan and develop a plan for Jabara Airport as required by federal regulation.

RECOMMENDED ACTION: Approve the project; authorize selection
of an engineer.

63. [General Aviation Site Development.](#)

Selection of consultant to prepare study to properly accommodate future development of general aviation on the western boundary of Mid-Continent Airport.

RECOMMENDED ACTION: Approve selection of consultant.

Adjournment
